

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities
LLC and the Chapter 7 Estate of Bernard L.
Madoff,

Plaintiff,

v.

KOREA EXCHANGE BANK, individually
and as Trustee for Korea Global All Asset
Trust I-1, and as Trustee for Tams Rainbow
Trust III,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 11-02572 (CGM)

**DECLARATION OF ERIC R. FISH IN SUPPORT OF THE TRUSTEE'S OPPOSITION
TO DEFENDANT KOREA EXCHANGE BANK'S
MOTION TO DISMISS THE COMPLAINT**

I, Eric R. Fish, pursuant to 28 U.S.C. § 1746, declare the following:

1. I am a partner with the law firm of Baker & Hostetler LLP, counsel to Irving H. Picard (the "Trustee"), as trustee for the substantively consolidated liquidation of the business of

Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa-*III*, and the chapter 7 estate of Bernard L. Madoff. I submit this Declaration in support of the Trustee’s Opposition to Defendant Korea Exchange Bank’s (“KEB”) Motion to Dismiss the Complaint.

2. Attached hereto as Exhibit 1 in redacted form is a true and correct copy of a Fairfield Sentry Limited (“Sentry”) Private Placement Memorandum dated October 1, 2004 (ANWAR-C-ESI-00151076–ANWAR-C-ESI-00151123).

3. Attached hereto as Exhibit 2 in redacted form are true and correct copies of documents showing redemption requests from KEB to Sentry—including correspondence and Redemption Request Forms—dated April 18, 2006, June 21, 2006, and February 20, 2008 (ANWAR-CFSE-00230955–ANWAR-CFSE-00230959; ANWAR-CFSE-00246000–ANWAR-CFSE-00246004; ANWAR-CFSE-00006192–ANWAR-CFSE-00006195).

4. Attached hereto as Exhibit 3 in redacted form are true and correct copies of Citco Requests for Wire Transfer Payment, dated February 15, 2005, July 20, 2006, and April 14, 2008, with KEB listed as the beneficiary name of the account, requesting wire transfer payments debiting Sentry and crediting Deutsche Bank Trust Co Americas in New York in the amounts of \$623,600.38, \$3,374,185.48, and \$4,009,264.23, respectively (ANWAR-CFSE-00323518; ANWAR-CFSE-00230946; ANWAR-CFSE-00006187). The Trustee is in possession of additional similar Citco Requests for Wire Transfer Payments referencing KEB and the Deutsche Bank Trust Co. Americas account in New York, which are available upon request.

5. Although several of the foregoing documents attached as exhibits are stamped confidential, the Trustee’s records indicate that the producing parties have de-designated the documents as not confidential under the Litigation Protection Order entered in this liquidation.

See SIPC v. BLMIS (In re BLMIS), Adv. Pro. No. 08-01789 (CGM) (Bankr. S.D.N.Y. June 6, 2011

& Sept. 17, 2003), ECF Nos. 4137 & 5474. In addition, all personally identifying information has been redacted.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 15, 2022 in New York, New York.

/s/ Eric R. Fish
Eric R. Fish